

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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ARNULFO MALDONADO, SANTIAGO,  
HERRERA, JORGE LEYVA CABRERA, and  
DOMINGO JUAREZ, *individually and on  
behalf of others similarly situated,*

*Plaintiffs,*

**Case No. 20-cv-6850**

-against-

**PROPOSED ORDER OF DEFAULT  
JUDGMENT**

TAVERNA KYCLADES, INC. (D/B/A)  
TAVERNA KYCLADES, and THEMIOS  
PAPADOPOULOS,

*Defendants.*

-----X  
The summons and complaint in this action having been duly served on the above-named Defendants, TAVERNA KYCLADES, INC. and THEMIOS PAPADOPOULOS said Defendants having failed to plead or otherwise defend in this action, and said default having been duly noted, and upon the annexed Affidavit in support of entry of default judgment, with exhibits thereto;

NOW, on motion of by Order to Show Cause of Michael Faillace & Associates, PC, counsel for Plaintiffs, it is hereby ORDERED and ADJUDGED

That Plaintiffs Arnulfo Maldonado, Jorge Leyva Cabrera, and Domingo Juarez, do recover of Defendants , Taverna Kyclades, Inc.and Themios Papadopoulos, the sum of \$365,040.90, including:

- 1) For Plaintiff Maldonado:
  - a) Unpaid minimum wages and overtime compensation in the amount of \$81,943.50;
  - b) Unpaid spread of hours pay in the amount of \$6,528.80;
  - c) Liquidated damages for unpaid minimum wages and overtime compensation in the amount of \$81,943.50;
  - d) Liquidated damages for unpaid spread of hours pay in the amount of \$6,528.80;

- e) Statutory damages for the violation of New York Labor Law § 195 in the amount of \$10,000.00;
  - f) Pre-judgment interest on unpaid minimum wages and overtime calculated at a rate of 9% per annum to the date of judgment and totaling \$26,654.35 as of March 4, 2021;
  - g) Pre-judgment interest on unpaid spread of hours pay calculated at a rate of 9% per annum to the date of judgment and totaling \$1,964.46 as of March 4, 2021;
- 2) For Plaintiff Cabrera:
- a) Unpaid minimum wages and overtime compensation in the amount of \$30,970.50;
  - b) Liquidated damages for unpaid minimum wages and overtime compensation in the amount of
  - c) Statutory damages for the violation of New York Labor Law § 195 in the amount of \$30,970.50;
  - d) Pre-judgment interest on unpaid minimum wages and overtime calculated at a rate of 9% per annum to the date of judgment and totaling \$10,270.24 as of March 4, 2021
- 3) For Plaintiff Juarez:
- a) Unpaid minimum wages and overtime compensation in the amount of \$25,512.00;
  - b) Liquidated damages for unpaid minimum wages and overtime compensation in the amount of
  - c) Statutory damages for the violation of New York Labor Law § 195 in the amount of \$25,512.00;
  - d) Pre-judgment interest on unpaid minimum wages and overtime calculated at a rate of 9% per annum to the date of judgment and totaling \$6,242.25 as of March 4, 2021; AND

That Plaintiffs Arnulfo Maldonado, Jorge Leyva Cabrera, and Domingo Juarez are awarded attorneys' fees in the amount of \$13,600.00 and costs in the amount of \$905.60; AND

That Arnulfo Maldonado, Jorge Leyva Cabrera, and Domingo Juarez are awarded post judgment interest, as calculation under 28 U.S.C. § 1961 and that if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgment shall automatically increase by fifteen percent, as required by NYLL § 198(4).

Dated: New York, New York  
\_\_\_\_\_, 2021

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HON. LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

This document was entered on the docket on

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Dated: New York, New York  
\_\_\_\_\_, 2021.

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HONORABLE SARAH NETBURN  
UNITED STATES MAGISTRATE JUDGE